

REMARKS

This amendment is in response to the Office action dated July 13, 2006. In the Office action claims 26-33 are rejected. Applicant has amended claim 26, and canceled claims 30 and 31. Support for the amendments to claim 26 can be found, for example, at page 2, line 32 – page 3, line 13, page 4, lines 1-13, and Figs. 3, 5 and 6. Claims 26-29 and 33-34 are presented for examination, of which, claim 26 is independent in form.

Claims 26-30, 32 and 33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claim 30 has been canceled thereby obviating the rejection with respect to this claim. Without acquiescing to the rejection, Applicant believes that the amendments to claim 26, which now recites that (1) the second layer is internal to the first layer and (2) the second layer is an adhesion layer, overcome this rejection. However, with reference to the Examiner's rejection, Applicant respectfully seeks to clarify the record. Applicant disagrees with the Examiner's statement that the specification does not clearly support a layer of liquid crystal polymer located as an inner tensile layer. For example, Figure 6 clearly depicts a different polymeric material as the outer layer, namely, filled polymer 64. In that embodiment, the liquid crystal polymer is located as an inner tensile layer. Accordingly, Applicant submits that the claims as filed are supported by the specification.

Claims 26-34 are provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claim 3 of U.S. Patent No. 6,626,936. Applicant does not necessarily agree with this rejection, but to obviate the rejection, Applicant may submit an appropriate terminal disclaimer upon the indication that the claims are otherwise allowable. A terminal disclaimer (unsigned) of suitable form is attached.

Claims 26-34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,589,236 (Harvey et al.). Claims 30 and 31 have been cancelled thereby obviating the rejection with respect to these claims. As amended, independent claim 26 (and all claims dependent thereon) recite a method of producing a laminated expander member by, *inter alia*, forming a multilayer parison comprising a first layer including a liquid crystal polymer, and a second layer,

internal to the first layer, the second layer being an adhesion layer, and forming the parison into the expander member.

The Examiner argues that Harvey et al. has a priority date of June 16, 1989, and discloses that the second layer is an "adhesion/tie layer." (7/13/06 Office Action at pp. 4-5.) But the parent applications of Harvey et al. upon which the Examiner relies do not disclose the subject matter as amended. Indeed, Harvey et al does not disclose the second layer as an adhesion layer until March 24, 1994.

More specifically, Harvey et al. was filed as Ser. No. 217,236 on March 24, 1994, which is a continuation-in-part of Ser. Nos. 125,919 and 126,043, both filed on September 23, 1993 and now abandoned. Ser. Nos. 125,919 and 126,043 are each a division of Ser. No. 778,812, filed as PCT/US90/03394, on June 18, 1990, which issued as U.S. Patent No. 5,288,529, which is a continuation-in-part of Ser. No. 367,433 filed on June 16, 1989, and now abandoned.

Harvey et al. is a continuation-in-part of its parent applications which are divisions of Harvey's grandparent, U.S. Patent No. 5,288,529 ("the '529 patent"). The '529 patent does not disclose the sixth embodiment upon which the Examiner relies as the basis for the rejection and as taught in Harvey et al. Indeed, the '529 patent does not disclose or suggest an inner layer as an adhesion layer anywhere in the specification. Thus for the purposes of teaching the subject matter as amended, Harvey et al. is not entitled to a priority date earlier than that of the Applicant. As such, Applicant requests that the rejection be withdrawn.

Applicant : Robert N. Hamlin
Serial No. : 10/822,182
Filed : April 9, 2004
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Attorney's Docket No.: 10527-003008 / PC7558G-US

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Respectfully submitted,

Date: January 12, 2007

/timothy a. french/

Timothy A. French

Reg. No. 30,175

Fish & Richardson P.C.
Citigroup Center
52nd Floor
153 East 53rd Street
New York, New York 10022-4611
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

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